ting the owner of the land to needless expense for counsel fees and other incidentals. An action in tort was brought to recover damages for this loss to the landowner, and the case was held to be one of *damnum absque injuria*. The English courts maintain, in similar cases, a rule quite as stringent as this (2 Addison on Torts, § 863).

Assessment—Rule in Assessment of Mill Property.—Troy Cotton & Woolen Manufactory v. *City of Fall River*, 46 N. E. Rep. 99 (Mass.). It is found that the land, buildings and machinery of a mill, which are subject to local taxation, are in the aggregate more valuable when kept together and used for mill purposes, than if one is separated from the other, and when all are owned by the same person or corporation each item should be valued as it is used in connection with the others, though the land alone would be more valuable for other purposes. The court extends the rule declared in *Tremont and Suffolk Mills* v. *City of Lowell*, 163 Mass. 283, 39 N.E. 1028, to the machinery used in manufacturing establishments which is locally taxable in connection with the land and buildings thereon.

Master and Servant—Wrongful Discharge.—Tickler v. *Andrae Manuf'g Co.*, 70 N. W. Rep. 292 (Wis.). In an action for wrongful discharge a servant cannot recover his expenses in seeking other employment, even though his wages in such other employment are charged in reduction of his damage.

NEGOTIABLE PAPER.

Check—What Constitutes—Indorsement on Architect's Certificate.—Industrial Bank of Chicago v. *Bower*, 46 N. E. Rep. 10 (Ill.). An architect's certificate recited that a certain sum was due the contractor, the E. B. Co. P. H. & Co. had made a building loan to the owner which was drawn on such certificates as needed. The owner wrote on the back of the certificate: "P. H. & Co., Pay to the order of the E. B. Co., John R. Bowes." Held, that although the drawees were not bankers, the indorsement constituted a check and not a bill of exchange. 64 Ill. App. 300 reversed.

Note—Sufficiency of Consideration.—Irwin v. *Lombard University*, 46 N. E. Rep. 63 (Ohio). A note given for certain defined educational purposes, which were carried out, is upon a sufficient con-

sideration. *Johnson* v. *Otterbein Univ.*, 41 Ohio St. 527, disapproved. *Methodist Episcopal Church* v. *Kendall* (Mass.) holds the contrary.

MISCELLANEOUS.

Constitutional Law—Right to Jury Trial—Liquor License—Forfeiture.—Voight v. *Board of Excise Commissioners of City of Newark*, 36 Atl. Rep. 686 (N. J. Sup.). A statute providing for the forfeiture of liquor licenses and that the body which granted the license shall on the complaint of three resident voters investigate the acts alleged to have worked such forfeiture, and if defendant is found guilty, revoke his license, does not contravene the constitutional right of trial by jury, and the licensing body need not wait for the action of the criminal courts. See *People* v. *Board of Commis., etc., of Brooklyn*, 59 N.Y. 96, for a somewhat similar statute upheld.

Anti-Trust Act—Interstate Commerce.—United States v. *Addyston Pipe and Steel Co.*, 78 Fed. Rep. 712. Where several corporations engaged in the manufacture of cast-iron pipes formed an association whereby they agreed not to compete with each other in regard to work done or pipes furnished in certain states and territories, and to make effectual the objects of the association, agreed to charge a bonus which was to be added to the real market price of the pipe sold by those companies, the combination was not a violation of the "Anti-Trust" act, as it affected interstate commerce only incidentally.

Trade Marks—Infringement.—City of Carlsbad v. *Schultz*, 78 Fed. Rep. 469. One who sold artificial "Carlsbad" water five years before the importation of the real article has a right to continue his business and cannot be restrained from using the name "Carlsbad," provided it is accompanied with an adjective such as "artificial" printed as conspicuously.

Customs Duties—Vessels or Yachts.—The Conqueror, 17 Sup. Ct. Rep. 510. Vessels and ships are not dutiable under tariff act of Oct. 1, 1890 (26 Stat. 567), not being scheduled *eo nomine* under "articles;" nor can the fact that a pleasure yacht was purchased abroad and brought to this country by an American be applied as a test of dutiability.